

A
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY DOCKET NO.: 5470-238

DATE: April 8, 1999

**UTILITY PATENT APPLICATION TRANSMITTAL LETTER
AND FEE TRANSMITTAL FORM (37 CFR 1.53(b))**

BOX PATENT APPLICATION

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

Transmitted herewith for filing under 37 CFR 1.53(b) is:

- ☒ a patent application
☐ a Continuation ☐ a Divisional ☐ a Continuation-in-Part (CIP)
of prior application no.: 60/081,092; filed 8 April 1998.
☐ A Small Entity Statement(s) was filed in the prior application; Status still proper and desired.

Inventor(s) or Application Identifier:

Gene H. MacDonald, Chapel Hill, North Carolina; **Brian K. Martin**, Durham, North Carolina;
Robert E. Johnston, Chapel Hill, North Carolina; **Jenny P.-Y. Ting**, Chapel Hill, North Carolina.

Entitled: **METHODS AND MODIFIED CELLS FOR THE TREATMENT OF CANCER**

Enclosed are:

1. ☒ Application Transmittal Letter and Fee Transmittal Form (*A duplicate is enclosed for fee processing*)
2. ☒ 38 pages of Specification (including 83 claims)
3. ☒ 6 sheets of Informal Drawings (35 USC 113)
4. ☐ Oath or Declaration
 - a. ☐ newly executed (*original or copy*)
 - b. ☐ copy from prior application (37 CFR 1.63(d) (*for continuation/divisional*) [Note Box 5 Below]
 - c. ☐ DELETION OF INVENTOR(S) (*Signed statement deleting inventor(s) named in the prior application*)
5. ☐ Incorporation By Reference (*useable if box 4b is checked*)

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ Microfiche Computer Program (*Appendix*)
7. ☐ Assignment papers (*cover sheet(s) and document(s)*) Filed in parent application
8. ☒ Small Entity Statement(s)
9. ☐ Information Disclosure Statement, PTO-1449, and references cited
10. ☐ Preliminary Amendment (*Please enter all claim amendments prior to calculating the filing fee.*)
11. ☐ English Translation Document
12. ☐ Certified Copy of

13. ☐ Sequence Listing/ Sequence Listing Diskette
 a. ☐ computer readable copy
 b. ☐ paper copy
 c. ☐ statement in support
 14. ☐ An Associate Power of Attorney
 15. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
 16. ☐ Other:

The fee has been calculated as shown below:

	Column 1 No. Filed	Column 2 No. Extra	Small Entity Rate Fee	Large Entity Rate Fee
BASIC FEE			\$380.00	\$760.00
TOTAL CLAIMS	83 - 20 =	63	x 09 = \$ 567.00	x 18 = \$
INDEP CLAIMS	9 - 3 =	6	x 39 = \$ 234.00	x 78 = \$
<input type="checkbox"/> MULTIPLE Dependent Claims Presented			+ 135 = \$	+ 270 = \$
If the difference in Col. 1 is less than zero, Enter "0" in Col. 2			Total \$1,181.00	Total \$

☒ A check in the amount of \$1,181.00 to cover the filing fee is enclosed.

☐ A check in the amount of \$ is enclosed to cover the filing fee, PLUS the Assignment Recordation fee (\$40.00).

☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0220.

☒ Any additional filing fees required under 37 CFR 1.16.

☒ Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

Karen Magri

Karen A. Magri

Registration No. 41,965

Correspondence Address:

USPTO Customer Number: 20792

Myers Bigel Sibley & Sajovec, P.A.

Post Office Box 37428

Raleigh, NC 27627

Tel (919) 854-1400

Fax (919) 854-1401

CERTIFICATE OF EXPRESS MAILING

Express Mail Label No. EL186202331US

Date of Deposit: April 8, 1999

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Box Patent Application, Assistant Commissioner For Patents, Washington, DC 20231.

Marjorie J. Pfeiffer

Marjorie J. Pfeiffer

Date of Signature: April 8, 1999

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney's Docket No. 5470-238

Applicant: MacDonald et al.

Serial No.: To be assigned

Filed: Concurrently herewith

Title: METHODS AND MODIFIED CELLS
FOR THE TREATMENT OF CANCER

**VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS
(37 C.F.R. § 1.9(f) & 1.27(d))--NONPROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION University of North Carolina at Chapel Hill
ADDRESS OF ORGANIZATION 308 Bynum Hall, Campus Box 4105
Chapel Hill, NC 27599-4105

TYPE OF NONPROFIT ORGANIZATION:

- ☒ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
☐ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE
(26 U.S.C. 501(a) and 501(c)(3))
☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF
STATE OF THE UNITED STATES OF AMERICA
(NAME OF STATE _____)
(CITATION OF STATUTE _____)
☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE
SERVICE CODE (26 U.S.C. 501(a) and 501(c)(3)) IF LOCATED IN THE
UNITED STATES OF AMERICA
☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL
UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA
IF LOCATED IN THE UNITED STATES OF AMERICA
(NAME OF STATE _____)
(CITATION OF STATUTE _____)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 C.F.R. 1.9(e) for purposes of paying reduced fees to the United States Patent and Trademark Office, under Section 41(a) and (b) of Title 35, United States Code, regarding the invention described in:

- ☐ the specification filed herewith with title as listed above.
☒ the application identified above.
☐ the patent identified above.

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization regarding the above-identified invention. If the rights held by the nonprofit organization are not exclusive, each individual, concern, or organization having rights in the invention must file separate verified statements averring to their status as small entities and that no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 C.F.R. § 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 C.F.R. § 1.9(d) or a nonprofit organization under 37 C.F.R. § 1.9(e).

Each person, concern, or organization having any rights to the invention is listed below:

Name: _____
Address: _____
☐ Individual ☐ Small Business ☐ Nonprofit Organization

Name: _____
Address: _____
☐ Individual ☐ Small Business ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Dr. Francis J. Meyer

TITLE OF PERSON SIGNING: Associate Vice Provost for Technology Development

ADDRESS OF PERSON SIGNING: Office of Technology Development
University of North Carolina at Chapel Hill
308 Bynum Hall, Campus Box 4105
Chapel Hill, NC 27599-4105

SIGNATURE: Francis J. Meyer

DATE: April 8, 1999